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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2249 OF 2007

Shri. Shamsundar Pandurang Kulkarni ... Petitioner

Versus

State of Maharashtra ...Respondents

Mr. Sanjay Kshirsagar for Petitioner.

CORAM: F.I. REBELLO &
R.M. SAVANT,JJ.
DATED: APRIL 09, 2007

P.C.:

. The Petitioner retired from service on 1.4.1997. The Petitioner had filed Original Application on the two grounds, firstly that the claim made by he Petitioner is based on G.R. dated 21.7.2003 passed by the Irrigation Department to award a cash prize of one lakh rupees from the Chief Minister Fund to the Engineers who by their efforts minimize the expenditure and cost of project and instrumental for saving crores of rupees for the State Exchequer. The second ground is in respect of non-granting two advance increments as per the circulars issued by the Government of Maharashtra in G.A.D. being No. SRV/1072/D dated 11.2.1974 and 29.10.1990 regarding grant of advance increment to the government servant for his outstanding work. The learned tribunal after considering the benchmark for the same, rightly held that the Petitioner does not fall in

the Benchmark and hence, rejected the first ground. The second ground came to be rejected as the Petitioner was not in service when such scheme was implemented. Merely because, some time earlier the Petitioner had detected some irregularities in the department based upon which some Officers were chargesheeted cannot be a basis for considering the Petitioner more so, when he was not in service at the time when the said G.R. was introduced. We, therefore, are not inclined to interfere with the impugned order of the tribunal. The said order, in the facts and circumstances, do not suffer any error apparent on the face of the record. Hence, no interference is called for. Petition rejected.

(R.M. SAVANT,J.) **(F.I.REBELLO, J.)**